



# ***FEDERAL TECHNICAL DATA SOLUTION (FedTeDS) - FINAL RULE***

- **FAR 5.102, Availability of solicitations**
- **Implements President's Management Agenda & eGov Initiative**
- **FedTeDS is a web based application integrated with the Government-wide Point of Entry (GPE) used to distribute solicitation info (including specifications and technical data) related to contract opportunities.**
- **FedTeDS provides additional controls to monitor access.**
- **Exceptions to using GPE and FedTeDS--**
  - **disclosure would compromise national security;**
  - **not cost-effective or practicable to provide access to the solicitation through the GPE;**
  - **agency procedures specify that FedTeDS does not provide sufficient controls to monitor access/distribution and an alternative means is more appropriate; or**
  - **agency SPE makes a written determination that access through the GPE is not in the Government's interest.**



# ***COMMON IDENTIFICATION STANDARD FOR CONTRACTORS - INTERIM RULE***

- **FAR 4.1300, Policy & FAR 7.105(b)(17)**
- **Implements--**
  - **HSPD-12, Policy for a Common Identification Standard for Federal Employees and Contractors.**
  - **Federal Information Processing Standards Publication (FIPS PUB Number 201).**
- **Applies to--**
  - **solicitations and contracts issued or awarded on or after October 27, 2005. Contracts awarded before then must be modified before October 27, 2007.**
  - **contractor and subcontractor personnel when contract performance requires physical access to a federally-controlled facility or Federal information system.**
- **Agency acquisition plans must address how personal identification verification requirements of contractors will be met.**



# ***CENTRAL CONTRACTOR REGISTRATION -TAXPAYER IDENTIFICATION NUMBER (TIN) VALIDATION - FINAL RULE***

- **FAR 52.204-7, Central Contractor Registration (CCR)**
- **Change was made as the result of a Federal Contractor Tax Compliance Task Force recommendation.**
- **Validation of the prospective contractor's TIN is part of the CCR registration process.**
- **Registered in CCR means that the Govt has validated all mandatory fields, to include validation of the TIN with the IRS and has marked the record "Active".**
- **Prospective contractor required to provide consent for TIN validation to the Govt as part of the CCR registration process.**
- **CO required to verify the prospective contractor is registered in the CCR database before awarding a contract.**



# ***DEFINITION OF INFORMATION TECHNOLOGY FAR Case 2004-030***

- **FAR Part 2 is amended to revise the definition of Information Technology to reflect the changes to the definition resulting from the enactment of Public Law 108-199, Consolidated Appropriations Act, 2004.**
- **Federal Register Publication on April 19, 2006.**



# ***ELECTRONIC REPRESENTATIONS AND CERTIFICATIONS FAR Case 2002-024***

- **FAR Parts 2, 4, 14, 15 and associated solicitation provisions in FAR Part 52 are amended to require Offerors to submit Annual Representations and Certifications via the Online Representations and Certifications Application (ORCA), a part of the Business Partner Network (BPN).**
- **Federal Register Publication on December 20, 2004.**
- **ORCA may be found on the Internet at:**  
**<http://orca.bpn.gov>**



# ***ELIMINATION OF CERTAIN SUBCONTRACT NOTIFICATION REQUIREMENTS - FINAL RULE***

- **FAR 44.201-2, Advance notification requirements**
- **Implements Section 842, FY 2004 DoD Authorization Act.**
- **DoD, NASA and Coast Guard cost-reimbursement contracts**
  - **approved purchasing system -- contractor not required to notify the CO before award of any cost-plus-fixed-fee subcontract or any fixed-price subcontract.**
  - **no approved purchasing system -- contractor required to notify the CO before award of any cost-plus-fixed-fee subcontract or any fixed-price subcontract that exceeds the greater of the SAT or 5 percent of the total estimated cost of the contract.**
- **Civilian agency (non NASA, CG) cost-reimbursement contracts**
  - **contractor required to notify the CO before award of any cost-plus-fixed-fee subcontract or any fixed-price subcontract that exceeds either the SAT or 5 percent of the total estimated cost of the contract.**



# ***OMB CIRCULAR A-76 FINAL RULE***

- **FAR 7.302, Policy**
- **Consistent with OMB Circular No. A-76 (Revised) May 29, 2003**
- **Perform inherently governmental activities with Govt personnel and subject commercial activities to forces of competition.**
- **CO makes a formal public announcement which includes-- agency; agency component; location, type of competition; activity being competed and number of Govt personnel.**
- **FAR 52.207 - two types of competition provisions--**
  - **Standard - Govt will evaluate private sector offers, agency tender and public reimbursable tenders. Performance decision outcome can be-- a contract award; letter of obligation to the agency or fee-for-service agreement.**
  - **Streamlined - Govt will evaluate the cost of private sector, agency or public performance. Performance decision outcome can be-- a contract award; a competitive solicitation for private offers; letter of obligation to the agency; or fee-for-service agreement.**



# ***GOVERNMENT PROPERTY RENTAL AND SPECIAL TOOLING FAR Case 2002-015***

- **FAR Part 45, and the Use and Charges clause at 52.245-9 are amended to incorporate a class deviation regarding use and charges, which has been applicable to the Department of Defense since 1998.**
- **This change-**
  - **Clarifies the basis for determining the rental charges for the use of Government property,**
  - **Is intended to promote the dual use of such property, and**
  - **Is now applicable across the Federal Government.**
- **Federal Register Publication on July 27, 2005.**





## ***TRANSPORTATION FAR Case 2002-005***

- **FAR Parts 1, 42, 46, 47, and associated contract clauses and solicitation provisions are amended to implement changes to the Interstate Commerce Act, which abolished tariff-filing requirements for motor carriers of freight and the Interstate Commerce Commission (ICC).**
- **This rule also implements changes to the Federal Management Regulation that require use of commercial bills of lading for domestic shipments.**
- **Federal Register Publication on January 3, 2006.**



# ***EARNED VALUE MANAGEMENT SYSTEMS***

## ***FAR Case 2004-019***

- **FAR Parts 2, 7, 24 and associated clauses and solicitation provisions in Part 52 are amended to implement Earned Value Management (EVMS) policy in accordance with OMB Circular A-11.**
- **The FAR requires the use of an EVM System that complies with the guidelines of ANSI/EIA Standard - 748, in major acquisitions for development, and in other acquisitions in accordance with agency procedures.**
- **Federal Register Publication on July 5,**



# ***NOTIFICATION OF EMPLOYEE RIGHTS CONCERNING PAYMENT OF UNION DUES OR FEES FAR Case 2004-010***

- **FAR Parts 2, 22, and associated clauses in FAR Part 52 are amended implement Executive Order (E.O.) 13201, Notification of Employee Rights Concerning Payment of Union Dues or Fees.**
- **Federal Register Publication on June 8, 2005.**



# ***ANNUAL REPRESENTATIONS AND CERTIFICATIONS FAR Case 2005-006***

- **FAR 52.204-8 is amended to add the requirement for the listing of the North American Industry Classification System (NAICS) code.**
- **Federal Register Publication on January 3, 2006.**



# ***SECTION 508 MICROPURCHASE EXEMPTION FAR Case 2004-020***

- **FAR Part 39 is amended to extend the Electronic and Information Technology (Section 508) micropurchase exemption from October 1, 2004 to April 1, 2005. This interim rule, published in the Federal Register on October 5, 2004 was converted to a final rule without change.**
- **Federal Register Publication on April 11, 2005.**